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AB-980 X

Attached are copies of letters and maps sent to Federal, state and local agencies by the Santa Clara Valley Transportation Authority on September 15, 2005 and hand delivered to the Section of Environmental Analysis on September 27, 2005. The track chart accompanying this submittal is too large to scan. Please contact the Section of Environmental Analysis to view a copy.

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GOVERNMENT RELATIONS

September 15, 2005

Office of Planning and Research
1400 Tenth Street
Sacramento, California 95814

Re: SANTA CLARA VALLEY TRANSPORTATION AUTHORITY --
ABANDONMENT EXEMPTION -- IN SANTA CLARA COUNTY AND
ALAMEDA COUNTY, CALIFORNIA (SAN JOSE INDUSTRIAL LEAD) (WP
MILPITAS LINE); DOCKET NO. AB-980

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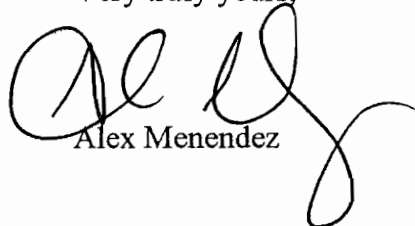
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Very truly yours,



Alex Menendez

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ND: 4837-0173-3120, Ver 1

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1001 I Street
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ND: 4812-8660-0448, Ver 1

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GOVERNMENT RELATIONS

September 15, 2005

California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, California 94105-2219

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GOVERNMENT RELATIONS

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Alameda County Supervisors
County Courthouse
1221 Oak Street, Suite 536
Oakland, California 94612

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U.S. Environmental Protection Agency
Region 9
75 Hawthorne Street
San Francisco, California 94105

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Portland, Oregon 97232-4181

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ABANDONMENT EXEMPTION -- IN SANTA CLARA COUNTY AND
ALAMEDA COUNTY, CALIFORNIA (SAN JOSE INDUSTRIAL LEAD) (WP
MILPITAS LINE); DOCKET NO. AB-980

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McLEOD, WATKINSON & MILLER

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Very truly yours,



Alex Menendez

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ROBERT RANDALL GREEN
LAURA L. PHELPS
DAVID R. GRAVES
GOVERNMENT RELATIONS

September 15, 2005

Santa Clara County Supervisors
70 West Hedding, 10th Floor
County Courthouse
San Jose, California 95110

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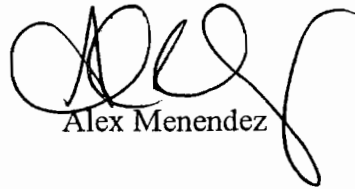
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ND: 4851-1187-1232, Ver 1

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GOVERNMENT RELATIONS

September 15, 2005

California Department of Parks and Recreation
Office of Historic Preservation
P. O. Box 942896
Sacramento, California 94296-0001

Re: SANTA CLARA VALLEY TRANSPORTATION AUTHORITY --
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Spatial Reference System Division
National Geodetic Survey
NOAA N/NGS2
1315 East West Highway
Silver Spring, Maryland 20910-3282

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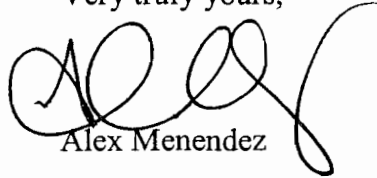
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U.S. Army Engineer District, Sacramento
1325 J Street
Sacramento, California 95814

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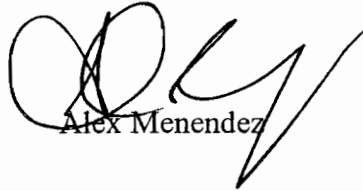
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National Park Service
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1849 C Street, N.W., #MS2540
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MILPITAS LINE); DOCKET NO. AB-980

Dear Mr. Shaddox:

This letter serves to clarify, supplement and amend the July 19, 2005 Letter ("July 19 Letter") forwarded to you on behalf of Santa Clara Valley Transportation Authority ("VTA") relating to the Petition for Exemption it filed with the Surface Transportation Board ("STB") on August 29, 2005 ("Petition for Exemption"). The Petition for Exemption involves VTA's desire to abandon its residual common carrier obligation related to the: 1) San Jose Industrial Lead from milepost 16.3 to milepost 17.49, a distance of 1.19 miles in Santa Clara County, California (the "VTA Industrial Line"); and 2) the Milpitas Line from mile post 2.61 near Paseo Padre Drive to milepost 5.38 near Grimmer Boulevard a distance of 2.77 miles in and near Fremont, Alameda County, California (the "VTA Milpitas Line"). A description of the Tracks and Facilities including a map showing their location and a track chart are attached hereto as Exhibit 1.

As a point of clarification, the July 19 Letter did not specifically reference the VTA Industrial Line and the VTA Milpitas Line segments but did reference the following line segments: 1) San Jose Industrial Lead from milepost 16.3 to milepost 19.6, a distance of 3.30 miles in Santa Clara County, California (the "Industrial Line"); and 2) the Milpitas Subdivision from mile post 0.00 near Clark Drive at Niles Junction to milepost 5.38 near Washington Boulevard, a distance of 5.38 miles in and near Fremont, Alameda County, California (the "Milpitas Line"). The Industrial Line and Milpitas Line are the line segments identified in the Combined Environmental and Historic Reports prepared by the Union Pacific Railroad Company ("UP") which were attached as Exhibits 2 and 3 respectively to the July 19 Letter. Moreover, as

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is evident by the milepost references, the VTA Industrial Line and the VTA Milpitas Line segments are contained within the Industrial Line and the Milpitas Line. UP filed the Combined Environmental and Historic Report relating to the Milpitas Line¹ ("Milpitas Report") and the Industrial Line² ("Industrial Report") in the context of abandonment proceedings. UP, as part of preparing and filing the Industrial Report and the Milpitas Report, conducted full environmental reviews of the Industrial Line and the Milpitas Line, including the VTA Industrial Line and the VTA Milpitas Line. At the time each respective report was filed you were served with a copy.

VTA's Petition for Exemption is seeking an abandonment of its residual common carrier obligations *vis a vis* the VTA Industrial Line and the VTA Milpitas Line to foster sound economic conditions in the transportation industry by avoiding the need to retain and operate a rail line that will not be used by any shipper. VTA will not be involved in any salvaging operations on the VTA Industrial Line and the VTA Milpitas Line. In other words, VTA is only seeking to abandon any residual common carrier obligations that exist subsequent to the abandonment exemptions that were granted to UP. VTA will make the VTA Industrial Line and the VTA Milpitas Line available to Bay Area Rapid Transit ("BART") for the operation of a light rail system. Furthermore, there is a railroad bridge structure located at milepost 16.32 ("Rail Bridge") which is located within the mileposts of the San Jose Industrial Lead. The abandonment will not affect the integrity of the Rail Bridge. Specifically, the Rail Bridge is South of Highway 101 and goes over Silver Creek and will not be used in the light rail system. The light rail system will move under Highway 101 via a tunnel and remain underground until it reaches the downtown area. VTA is, however, considering using the Rail Bridge as a bike path and/or walking trail.

Therefore, pursuant to the Board's regulations at 49 C.F.R. Part 1152, and the environmental regulations at 49 C.F.R. Part 1105.7, VTA is renewing its request, based on this clarifying information, for your assistance in identifying any potential effects of this abandonment action that may have arisen subsequent to the UP filing of the Milpitas Report and Industrial Report. Specifically, please state whether the proposed abandonment action is consistent with existing land use plans and describe any inconsistencies. If any adverse environmental impacts are identified, please describe any actions that are proposed in order to mitigate the environmental impacts. Please provide us with a written response that can be sent to the Board.

¹ See *Union Pacific Railroad Company – Abandonment Exemption – In Alameda County, California*, STB Docket No. AB-33 (Sub-No. 211X).


² See *Union Pacific Railroad Company – Abandonment Exemption – In Santa Clara County, California*, STB Docket No. AB-33 (Sub-No. 221X).

McLEOD, WATKINSON & MILLER

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Thank you for your assistance. Please forward your responses to me at McLeod, Watkinson & Miller, One Massachusetts Avenue, N.W., Suite 800, Washington, D.C. 20001. If you need further assistance, please contact me at (202) 842-2345.

Very truly yours,



Alex Menendez

Attachments

ND: 4831-9933-4144, Ver 1

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GOVERNMENT RELATIONS

September 15, 2005

U.S. Natural Resources Conservation Service
State Conservationist
430 G Street, #4164
Davis, California 95616-4164

Re: SANTA CLARA VALLEY TRANSPORTATION AUTHORITY --
ABANDONMENT EXEMPTION -- IN SANTA CLARA COUNTY AND
ALAMEDA COUNTY, CALIFORNIA (SAN JOSE INDUSTRIAL LEAD) (WP
MILPITAS LINE); DOCKET NO. AB-980

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September 15, 2005
Page 2

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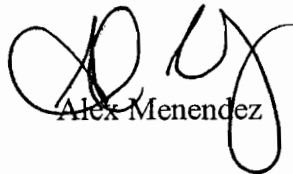
² See *Union Pacific Railroad Company – Abandonment Exemption – In Santa Clara County, California*, STB Docket No. AB-33 (Sub-No. 221X).

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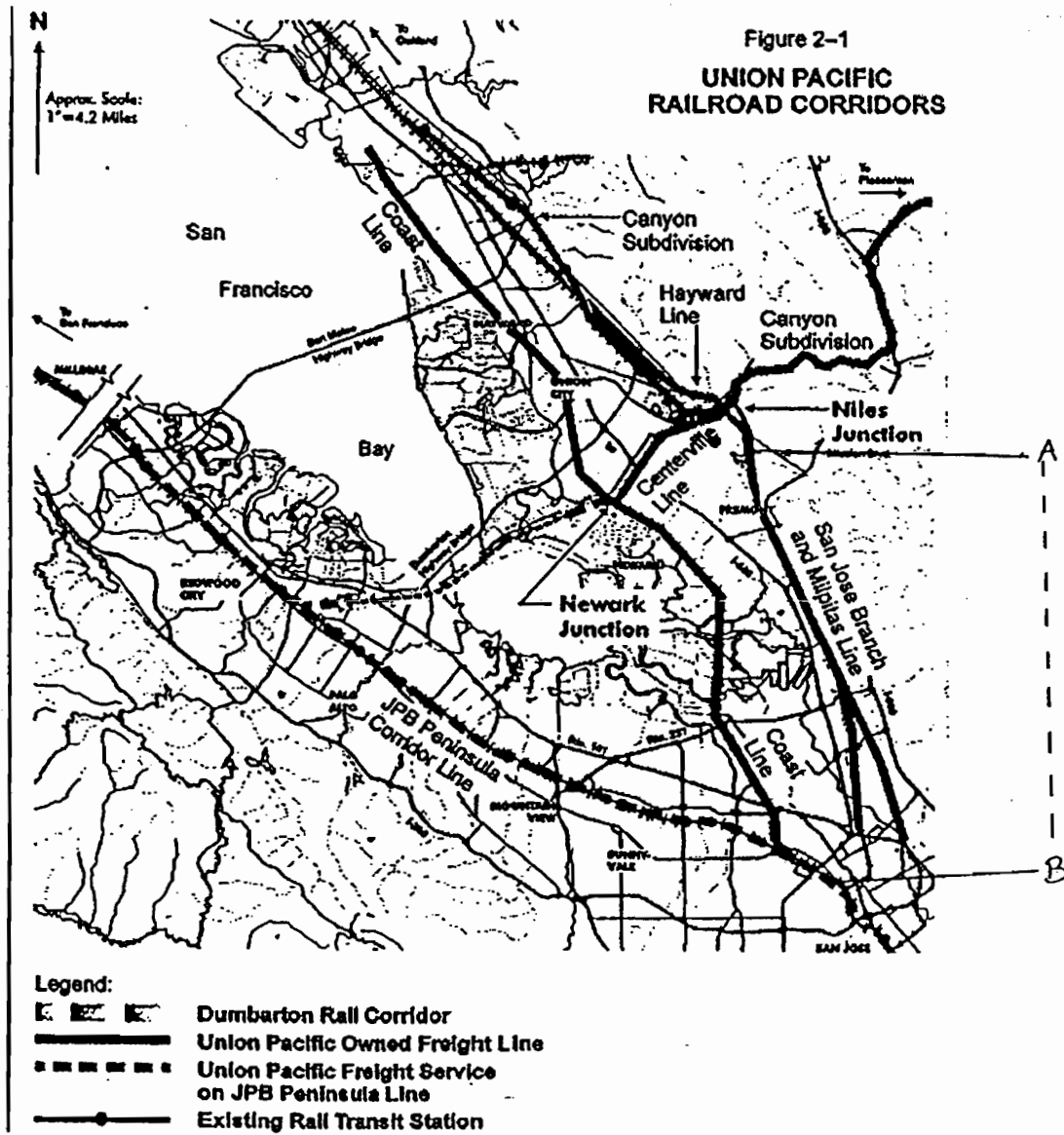
Very truly yours,



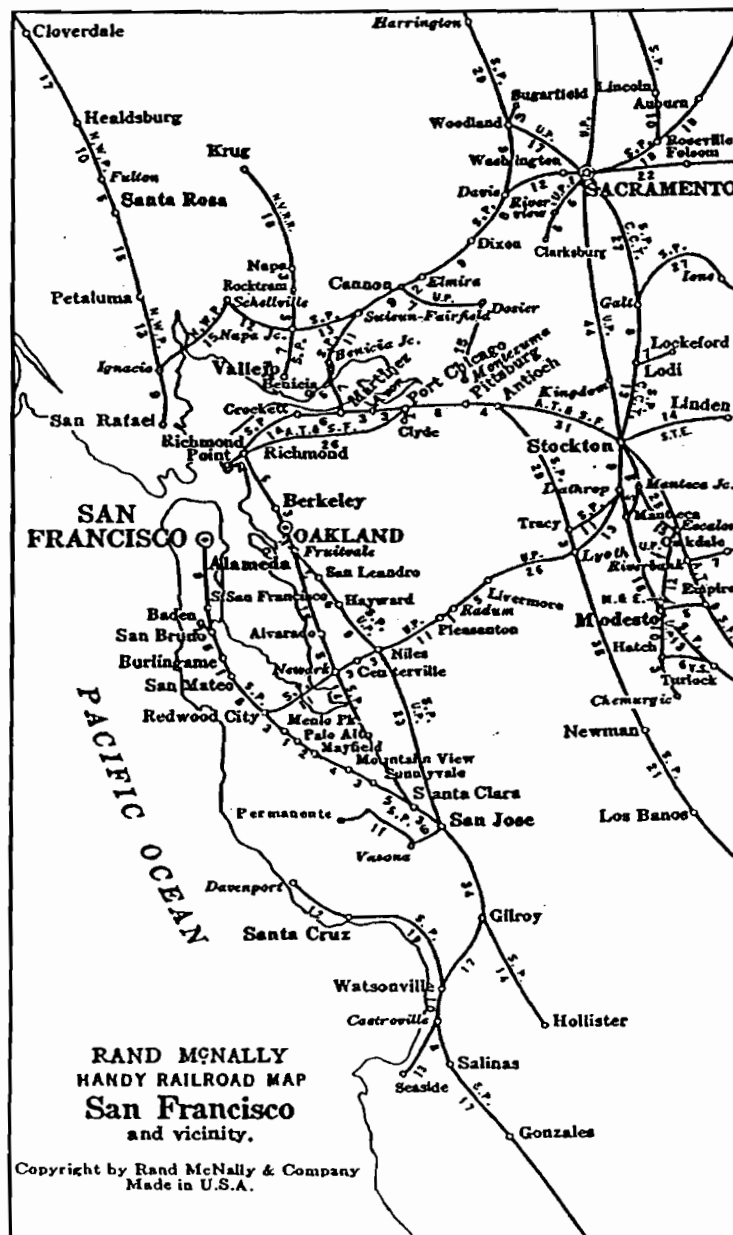
Alex Menendez

Attachments

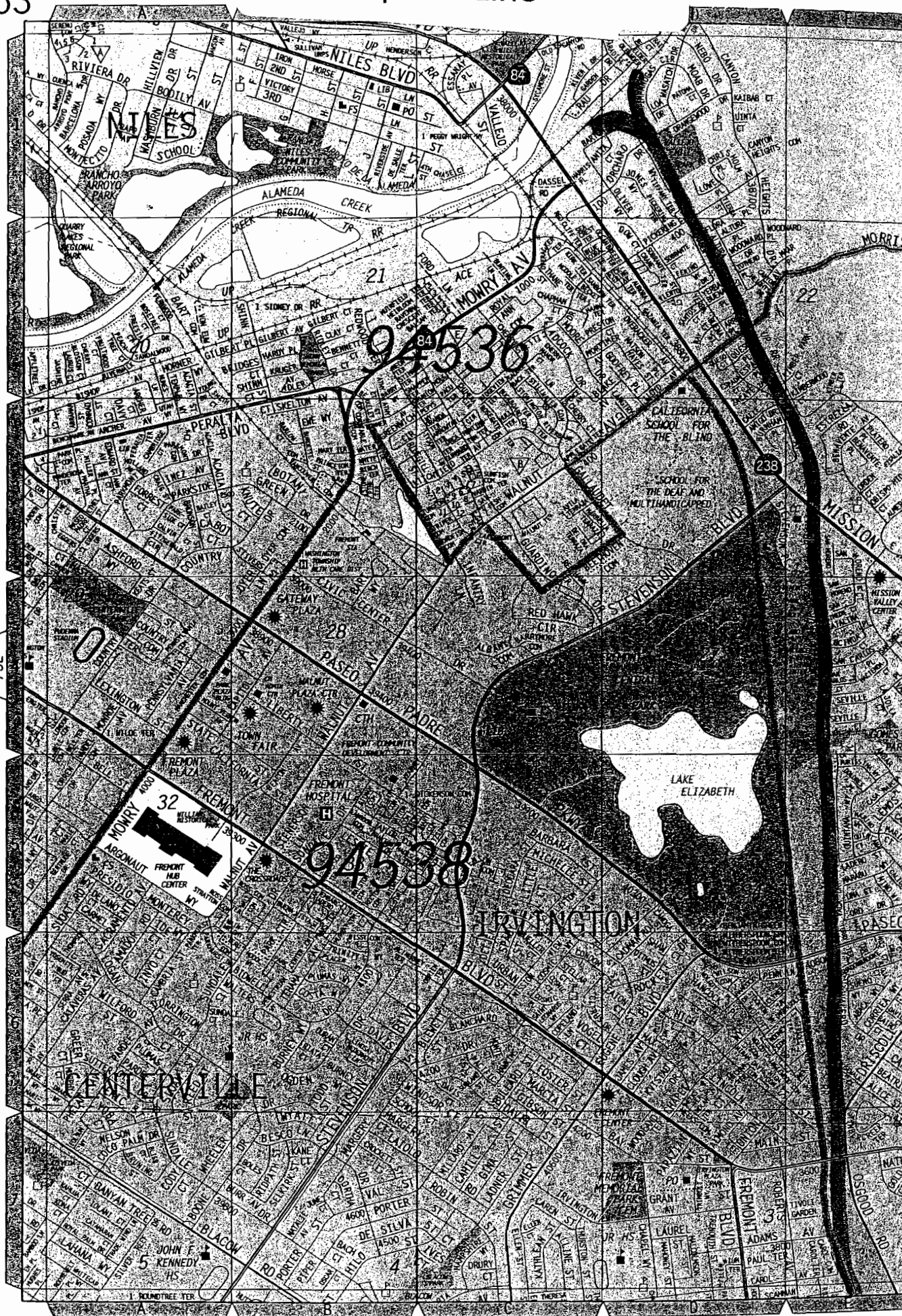
SANTA CLARA VALLEY TRANSPORTATION AUTHORITY



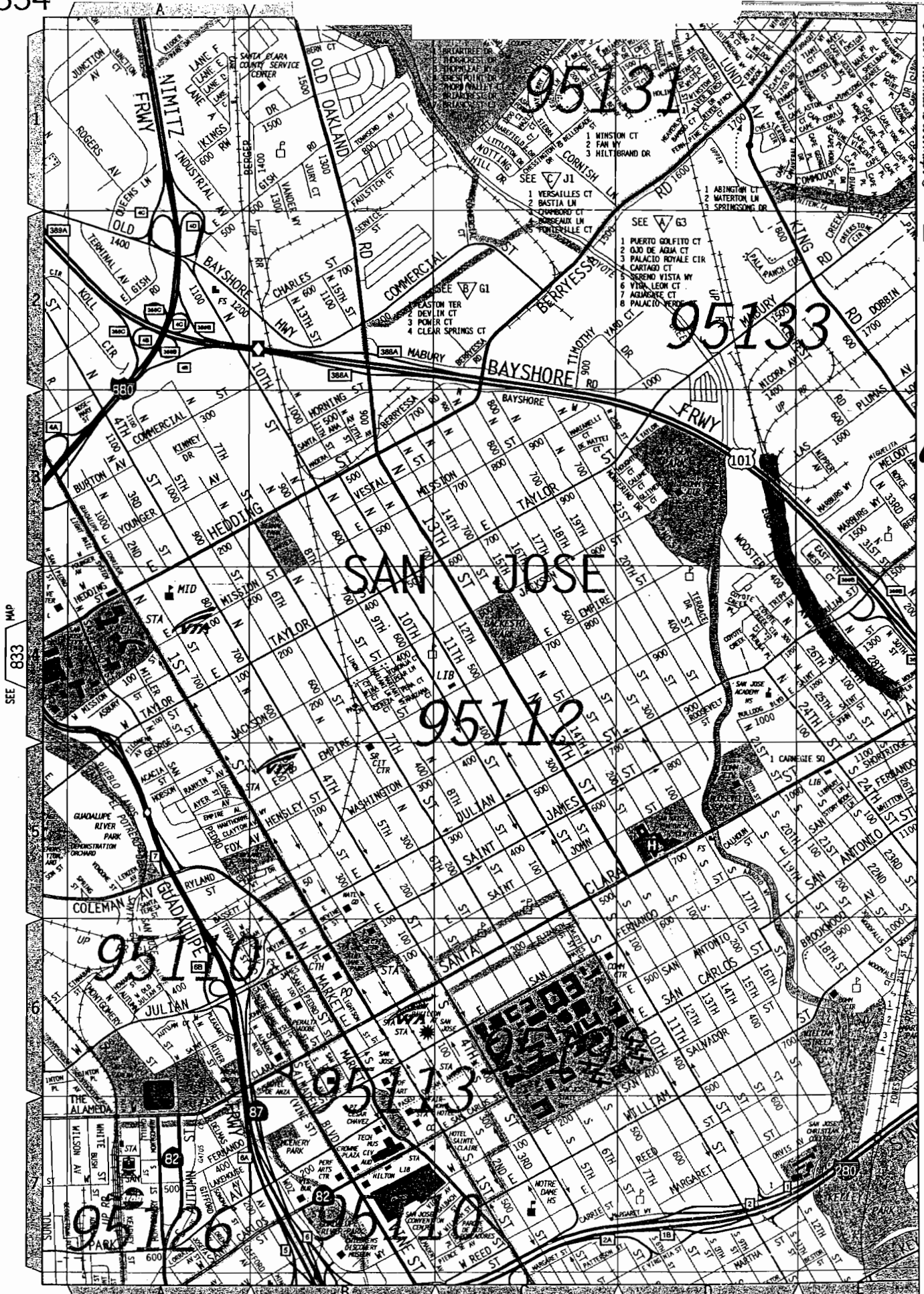
The affected line segment is between points A and B on this map.



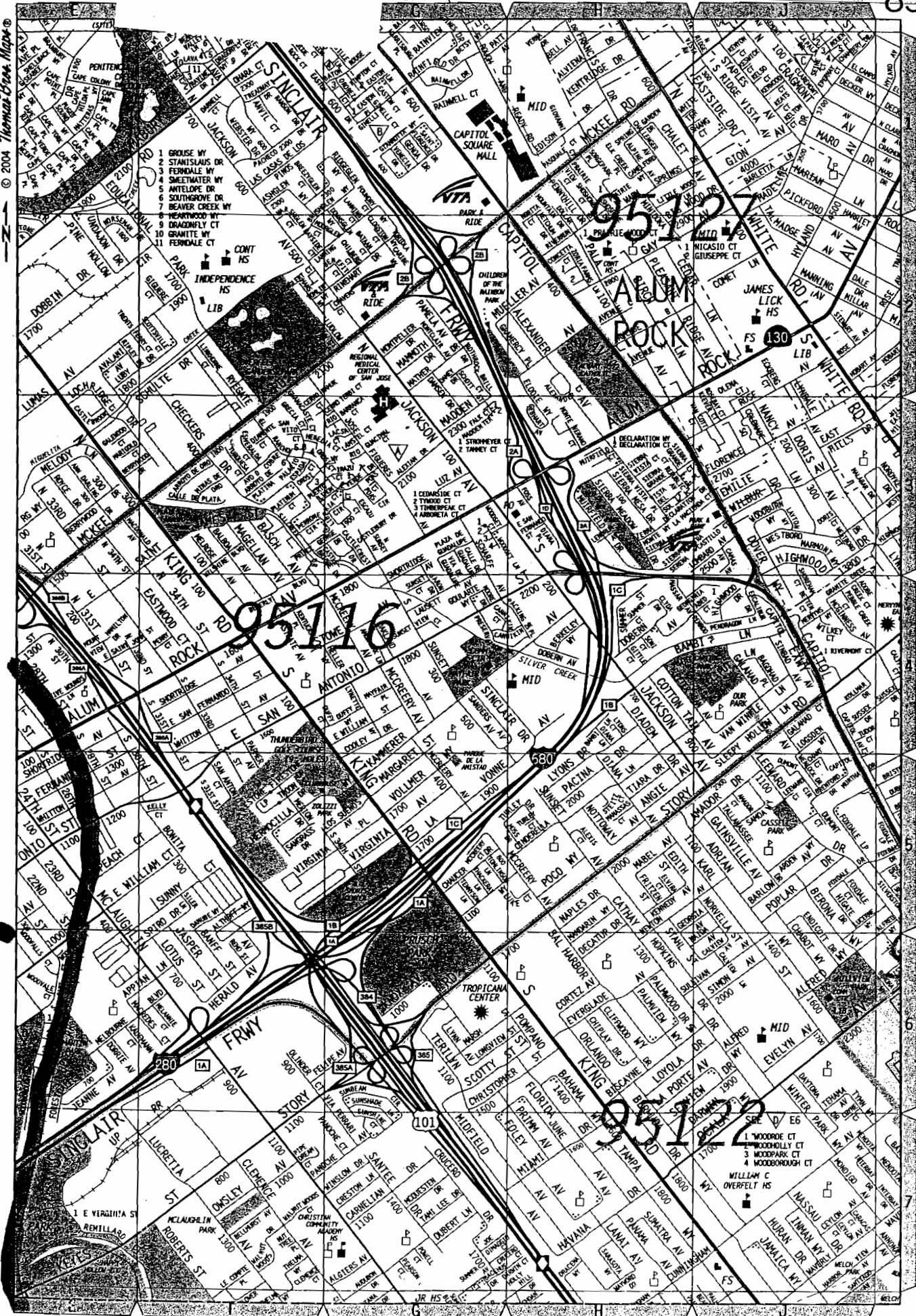
SEE 752 MAP







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SEE 835 MAP